

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

UNITED STATES OF AMERICA
V.
MATTHEW HAJEK

JUDGMENT IN A CRIMINAL CASE
(For Revocation of Probation or Supervised Release)

Case Number: **CR 01-43-1-LRR**
USM Number: **08533-029**

F. David Eastman
Defendant's Attorney

THE DEFENDANT:

- ☒ admitted guilt to violation(s) 1, 2, 3, 4 a&b, 5 a&b, 6, & 7 a&b of the term of supervision.
☒ was found in violation of 5c after denial of guilt.

The defendant is adjudicated guilty of these violations:

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Violation Ended</u>
1, 3, 5 a-c	Use of a Controlled Substance	11/19/13
2, 4 a&b	Failure to Comply with Drug Testing	10/12/13
6	Association with Person Engaged in Criminal Activity	10/13/13
7 a&b	Failure to Truthfully Answer Inquiries	10/31/13

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant was not found in violation of _____ and is discharged as to such violation(s).
☐ The Court did not make a finding regarding violation(s) _____.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

November 26, 2013

Date of Imposition of Judgment

Signature of Judge

Linda R. Reade, Chief U.S. District Judge

Name and Title of Judge

Date

DEFENDANT: **MATTHEW HAJEK**
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IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of : **14 months.**

- ☐ The court makes the following recommendations to the Bureau of Prisons:
- ☒ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district:
- ☐ at _____ ☐ a.m. ☐ p.m. on _____ .
- ☐ as notified by the United States Marshal.
- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
- ☐ before 2:00 p.m. on _____ .
- ☐ as notified by the United States Marshal.
- ☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____ with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: **MATTHEW HAJEK**
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SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of : **Term of Supervised Release shall be reimposed until his original discharge date of January 22, 2018.**

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter as determined by the Court.

- ☐ The above drug testing condition is suspended, based on the Court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☒ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the Court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any persons convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the Court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

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SPECIAL CONDITIONS OF SUPERVISION

- 1) You shall participate in a program of testing bodily fluids and functions, and treatment for drug and alcohol abuse, as directed by your probation officer until such time as you are released from the program by your probation officer.
- 2) You are prohibited from the use of alcohol while on supervision; and you are prohibited from frequenting bars, taverns or other establishments whose primary source of income is derived from the sale of alcohol.
- 3) You shall pay any restitution amount remaining upon release from incarceration. Your probation officer shall establish and may periodically modify the payment schedule provided the entire financial penalty is paid no later than the termination of supervision but in no event no later than five years after release from incarceration.
- 4) You are prohibited from incurring new credit charges or opening additional lines of credit without approval from your probation officer unless you are in compliance with your fine payment schedule.
- 5) You shall provide your probation officer access to any requested financial information.
- 6) You shall participate in mental health counseling if deemed appropriate for you by your probation officer until such time as you are released from the program by your probation officer. This may include participation in the Sex Offender Treatment Program offered by the Sixth Judicial District Department of Correctional Services in Cedar Rapids or any such similar program in your approved district of residence. You shall pay the costs of participation in these classes.
- 7) You shall remain in compliance with all requirements of the Sex Offender Registry Program in your approved state of residence throughout the term of your supervision. This may include, but is not limited to, the requirement that you register with the local law enforcement agency that is responsible for policing the area in which you reside and the requirement that you register with your state of residence as a sex offender for as long as required by law in your state of residence.
- 8) You shall comply with the Sex Offender Risk Assessment and Public Notification Program in your state of residence.
- 9) The defendant shall cooperate in the collection of DNA as directed by the probation officer.
- 10) You will submit to a search of your person, residence, adjacent structures, office or vehicle, conducted by a United States Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation; you shall warn any other residents that the residence or vehicle may be subject to searches pursuant to this condition. This condition may be invoked with or without the assistance of law enforcement, including the U.S. Marshals Service.
- 11) Immediately following release from imprisonment, you must reside in a Residential Reentry Center for a period of up to 60 days. This placement must be in the community corrections component with work release privileges. While a resident of the Residential Reentry Center, you must abide by all rules and regulations of the facility. You must report to the Residential Reentry Center at a time and date to be determined by the Bureau of Prisons, the Residential Reentry Center, and the U.S. Probation Office.

Upon a finding of a violation of supervision, I understand the Court may: (1) revoke supervision; (2) extend the term of supervision; and/or (3) modify the condition(s) of supervision.

These conditions have been read to me. I fully understand the conditions and have been provided a copy of them.

Defendant

Date

U.S. Probation Officer/Designated Witness

Date